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September 29, 2014

Mr. Terry Andrews  
Project Manager  
Remediation Division - Superfund Section (MC-136)  
Texas Commission on Environmental Quality  
P. O. Box 13087  
Austin, Texas 78711-3087

*Via Facsimile (512) 239-0606  
and CM/RRR*

**Certified Article Number**

7196 9008 9111 9697 1060

**SENDERS RECORD**

Re: CES Environmental Services Inc. ("CES"), 4904 Griggs Road, Houston, Harris County, Texas - SWR No. 30900 ("Site")

Dear Mr. Andrews:

This firm represents Mogas Industries, Inc. ("Mogas"), and this letter is in response to your August 28, 2014 letter (the "Letter") requesting a good faith offer from Mogas to fund or perform a Remedial Investigation/Feasibility Study (RI/FS) at the above-captioned Site. This letter also confirms that Mogas has until October 27, 2014 to provide the documents and other information requested in the Letter.

The TCEQ also has asked whether Mogas would be willing to fund or conduct TCEQ-approved cleanup activities at the Site such as removals, investigations, or remedial actions. Mogas may be willing to help fund or conduct such activities, but the company does not yet have sufficient information about the Site or the anticipated cleanup activities to make an unequivocal offer to help fund or conduct the referenced activities.

Mogas understands that other recipients of the Letter may propose a meeting in the next couple of weeks with the TCEQ technical and legal representatives to discuss the history of the Site, remedial actions that are contemplated, whether or not such remedial actions can be completed through the agency's Voluntary Cleanup Program, and the roles, if any that EPA and/or CES's bankruptcy trustee will have going forward. Mogas is interested in participating in such a meeting and would like to be notified of all Site-related activities, including the date/time of the referenced meeting should it occur.

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If you have any questions, please call me at 713.752.8628.

Sincerely,

CRAIN, CATON & JAMES, P.C.

By:   
Kelly D. Brown

KDB/rr

cc: Ms. Carol Rahmani, Remediation Division, Office of Waste, TCEQ  
Ms. Patricia Scott, Litigation Division, Office of Legal Services, TCEQ